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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R.

To suspend obligations of residential renters and mortgagors to make payments during the COVID-19 emergency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. OMAR introduced the following bill; which was referred to the Committee on _____

A BILL

To suspend obligations of residential renters and mortgagors to make payments during the COVID-19 emergency, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rent and Mortgage
5 Cancellation Act of 2021”.

6 **SEC. 2. SUSPENSION OF OBLIGATIONS TO MAKE RESIDEN-**
7 **TIAL MORTGAGE AND RENT PAYMENTS.**

8 (a) RENT PAYMENTS.—

1 (1) SUSPENSION.—Notwithstanding any other
2 provision of law, the obligation of each tenant house-
3 hold of a covered rental dwelling unit to pay rent for
4 occupancy in such dwelling unit shall be suspended
5 with respect to such occupancy during the COVID-
6 19 suspension period.

7 (2) PROHIBITIONS.—

8 (A) ON FINES.—No tenant or tenant
9 household may be charged a fine or fee for non-
10 payment of rent in accordance with paragraph
11 (1) and such nonpayment of rent shall not be
12 grounds for any termination of tenancy or evic-
13 tion.

14 (B) ON DEBT.—No tenant or tenant
15 household may be treated as accruing any debt
16 by reason of suspension of contribution of rent
17 under paragraph (1).

18 (C) ON REPAYMENT.—No tenant or tenant
19 household may be held liable for repayment of
20 any amount of rent contribution suspended
21 under paragraph (1).

22 (D) ON CREDIT SCORES.—The non-
23 payment of rent by a tenant or tenant house-
24 hold shall not be reported to a consumer report-
25 ing agency nor shall such nonpayment adversely

1 affect a tenant or member of a tenant house-
2 hold's credit score.

3 (b) MORTGAGE PAYMENTS.—

4 (1) SUSPENSION.—Notwithstanding any other
5 provision of law, the obligation of each mortgagor
6 under a covered residential mortgage loan to make
7 mortgage payments of principal and interest that be-
8 come due during the COVID-19 suspension period is
9 hereby suspended.

10 (2) REQUIREMENTS AND PROHIBITIONS.—

11 (A) ON DEBT.—No mortgagor under any
12 covered residential mortgage loan may be held
13 responsible for payment of mortgage payments
14 suspended under paragraph (1) or treated as
15 accruing any debt by reason of suspension
16 under such paragraph of the obligation to make
17 mortgage payments.

18 (B) ON FORECLOSURE.—A mortgagee
19 under a covered residential mortgage loan (or
20 servicer for such mortgagee) may not commence
21 or continue any judicial foreclosure action or
22 non-judicial foreclosure process or any action
23 for failure to make a payment due under such
24 mortgage that is suspended pursuant to para-
25 graph (1).

1 (C) ON FEES, PENALTIES, AND INTER-
2 EST.—No fees, penalties, or additional interest
3 beyond the amounts scheduled or calculated as
4 if the mortgagor made all contractual payments
5 on time and in full under the terms of the
6 mortgage contract in effect as of the commence-
7 ment of the COVID-19 suspension period shall
8 accrue.

9 (D) ON CREDIT SCORES.—The non-
10 payment of a mortgage payment by a mort-
11 gator pursuant to suspension under paragraph
12 (1) of the obligation to make such payment
13 shall not be reported to a consumer reporting
14 agency nor shall such nonpayment adversely af-
15 fect a mortgagor’s credit score.

16 (c) NOTICE.—The Secretary of Housing and Urban
17 Development shall establish and carry out a system to no-
18 tify all tenants of covered rental dwelling units, including
19 tenants described in section 8(1)(B)(ii), and all mortga-
20 gors under covered residential mortgage loans, of the sus-
21 pensions under paragraph (1) of subsections (a) and (b)
22 of the obligations to make rental payments or mortgage
23 payments, respectively, and of their right to pursue legal
24 action pursuant to section 4.

1 **SEC. 3. FORGIVENESS OF RESIDENTIAL RENT AND MORT-**
2 **GAGE DEBT.**

3 (a) RENT DEBT.—

4 (1) IN GENERAL.—Notwithstanding any other
5 provision of law, all debt for unpaid residential rent
6 arrears for a covered rental dwelling unit that ac-
7 crued from March 13, 2020, through April 1, 2022,
8 is hereby forgiven.

9 (2) PREEMPTION.—To the extent that any
10 State or local law or decision of any State or local
11 court or arbitral body conflicts with paragraph (1),
12 it is preempted and shall have no force or effect.

13 (3) NO EFFECT ON CREDIT SCORE.—Receipt of
14 forgiveness of residential rent debt pursuant to para-
15 graph (1) shall not be reported to any consumer re-
16 porting agency nor shall receipt of such forgiveness
17 adversely affect the credit score of any tenant or
18 member of a tenant household.

19 (b) MORTGAGE DEBT.—

20 (1) IN GENERAL.—Notwithstanding any other
21 provision of law, all debt for unpaid residential mort-
22 gage arrears under a covered residential mortgage
23 loan that accrued from March 13, 2020, through
24 April 1, 2022, is hereby forgiven.

25 (2) REDUCTION OF BALANCE.—By consequence
26 of the forgiveness required under paragraph (1), for-

1 given mortgage debt shall be reduced from mortga-
2 gors' interest and principal balances, as applicable.

3 (3) PREEMPTION.—To the extent that any
4 State or local law or decision of any State or local
5 court or arbitral bodies conflicts with paragraph (1),
6 it is preempted and shall have no force or effect.

7 (4) NO EFFECT ON CREDIT SCORE.—Receipt of
8 forgiveness of residential rent debt pursuant to para-
9 graph (1) shall not be reported to any consumer re-
10 porting agency nor shall receipt of such forgiveness
11 adversely affect the credit score of a mortgagor.

12 (c) NOTICE.—The Secretary of Housing and Urban
13 Development shall establish and carry out a system to no-
14 tify all tenants of covered rental dwelling units, including
15 tenants described in section 8(1)(B)(ii), and all mortga-
16 gors under covered residential mortgage loans, of the for-
17 giveness under paragraph (1) of subsections (a) and (b)
18 of debt for unpaid residential rent and mortgage arrears,
19 respectively, and of their right to pursue legal action pur-
20 suant to section 4.

21 **SEC. 4. CIVIL ACTION.**

22 (a) IN GENERAL.—Any individual aggrieved by an
23 adverse action taken by a lessor or mortgagee for exer-
24 cising rights under section 2 or 3 may commence a civil
25 action under this section against the lessor or mortgagee

1 violating such section in an appropriate United States dis-
2 trict court or State court not later than 2 years after such
3 violation occurs for damages under subsection (b).

4 (b) DAMAGES; PENALTY.—Any lessor or mortgagee
5 found to have taken adverse action against any lessee or
6 mortgagor for exercising rights under section 2 shall be
7 liable—

8 (1) to the individual aggrieved by such viola-
9 tion, for any actual damages as a result of such ad-
10 verse action; and

11 (2) for a fine in the amount of—

12 (A) \$5,000, in the case of violation that is
13 the first violation by such lessor or mortgagee;

14 (B) \$10,000, in the case of violation that
15 is the second violation by such lessor or mort-
16 gagee; and

17 (C) \$50,000 or forfeiture of the property,
18 in the case of violation that is the third or sub-
19 sequent violation by such lessor or mortgagee.

20 (c) AUTHORITY OF COURT.—In an action brought
21 under this section, the court—

22 (1) may award preventative relief, including a
23 permanent or temporary injunction or other order,
24 to ensure the full rights granted by subsections (a)

1 and (b) of section 2 and by subsections (a) and (b)
2 of section 3; and

3 (2) shall award any prevailing plaintiff, other
4 than the United States, reasonable attorney's fee
5 and costs.

6 (d) ATTORNEY GENERAL ENFORCEMENT.—The At-
7 torney General may bring a civil action in any appropriate
8 United States district court against any individual who
9 violates subsection (a) or (b) of section 2 for fines, or sub-
10 section (a) or (b) of section 3, under subsection (b)(2) of
11 this section.

12 **SEC. 5. LANDLORD RELIEF FUND.**

13 (a) ESTABLISHMENT.—The Secretary of Housing
14 and Urban Development shall establish and manage a
15 Landlord Relief Fund (in this section referred to as the
16 “Fund”), to provide lessors payments under this section
17 to reimburse such lessors for payments under covered
18 rental dwelling units suspended or forgiven pursuant to
19 section 2(a) or 3(a), respectively.

20 (b) APPLICATION.—The Secretary shall provide for
21 lessors of covered rental dwelling units to apply for reim-
22 bursement payments from the Fund, which applications
23 shall include the certifications and binding agreements re-
24 quired pursuant to subsection (c).

1 (c) ELIGIBILITY.—The Secretary may provide a pay-
2 ment under this section only with respect to covered rental
3 dwelling units that meet all of the following requirements:

4 (1) FAIR RENTAL REQUIREMENTS.—The lessor
5 of the covered rental dwelling unit has made such
6 certifications to, and entered into such binding
7 agreements with, the Secretary as the Secretary con-
8 siders necessary to ensure that during the 5-year pe-
9 riod beginning upon initial receipt by such lessor of
10 payment under this section for such dwelling unit,
11 such dwelling unit shall be subject to the following
12 requirements:

13 (A) RENT FREEZE.—The monthly rent for
14 the dwelling unit may not be increased from the
15 amount of such rent charged as of the date of
16 the enactment of this Act.

17 (B) JUST-CAUSE EVICTIONS.—A tenant of
18 the dwelling unit may be evicted only for just
19 cause and only pursuant to advance written no-
20 tice to the tenant of such just cause.

21 (C) SOURCE OF INCOME DISCRIMINA-
22 TION.—The lessor may not refuse to rent the
23 dwelling unit, or discriminate in the renting of
24 the dwelling unit, to a household based on the
25 source of income of such household, including

1 income under the program under section 8(o) of
2 the United States Housing Act of 1937 (42
3 U.S.C. 1437f(o)) or any similar tenant-based
4 rental assistance program.

5 (D) NEW VACANCIES.—The lessor shall co-
6 ordinate with the public and other housing au-
7 thorities for the jurisdiction within which the
8 dwelling unit is located to make the dwelling
9 unit available, upon any vacancy, to households
10 assisted as described in subparagraph (C).

11 (E) ADMISSIONS RESTRICTIONS.—The les-
12 sor may not restrict tenancy of the dwelling
13 unit on the basis of sexual identity or orienta-
14 tion, gender identity or expression, conviction or
15 arrest record, credit history, or immigration
16 status.

17 (F) ARREARAGES.—The lessor may not
18 collect an arrearage in rent owed by the tenant
19 as of the expiration of such 5-year period.

20 (G) RETALIATION.—The lessor may not
21 retaliate in any way against a tenant of the
22 dwelling unit.

23 (H) DEBT COLLECTORS AND CREDIT RE-
24 PORTING AGENCIES.—The lessor may not re-
25 port the tenant of the dwelling unit to a debt

1 collector or provide any adverse information re-
2 garding the tenant to any credit reporting agen-
3 cy.

4 (2) REQUIRED DISCLOSURES.—

5 (A) IN GENERAL.—The lessor shall dis-
6 close, for any person that has an ownership in-
7 terest in the lessor, including any members,
8 shareholders, general partners, or limited part-
9 ners, if applicable, the following information:

- 10 (i) Name.
- 11 (ii) Address of place of residence.
- 12 (iii) Date of birth.
- 13 (iv) Social Security Number or Em-
14 ployer Identification Number.
- 15 (v) Size of their interest in the lessor.
- 16 (vi) Type of entity.
- 17 (vii) State of incorporation.
- 18 (viii) Registered agent.
- 19 (ix) Address of any covered rental
20 dwelling units owned by such person.
- 21 (x) Occupancy or vacancy status of all
22 covered rental dwelling units owned by
23 such person.

1 (xi) Current rents charged for all cov-
2 ered rental dwelling units owned by such
3 person.

4 (xii) Total assets and liabilities.

5 (B) NON-NATURAL PERSONS.—For any
6 person identified in the disclosure required by
7 this paragraph that is not a natural person, the
8 lessor shall provide the information required by
9 subparagraph (A) for that entity and for any
10 persons with ownership interests in that entity
11 and shall provide that information iteratively
12 for each layer of ownership until all ownership
13 interests are traced back to natural persons or
14 publicly traded corporations.

15 (C) EXEMPTION.—Nothing in this para-
16 graph shall require the disclosure of the identity
17 of, or personally-identifying information regard-
18 ing, shareholders of publicly traded corpora-
19 tions.

20 (3) PROHIBITION ON DUPLICATION OF ASSIST-
21 ANCE.—Assistance may not be provided under this
22 section with respect to any dwelling unit for which
23 assistance is provided pursuant to section 6.

24 (d) AMOUNT.—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 the amount of a payment under this section with re-
3 spect to a covered rental dwelling unit may not ex-
4 ceed the aggregate amount of rent for the dwelling
5 unit suspended or forgiven pursuant to section 2(a)
6 or 3(a) and attributable only to days during the
7 COVID-19 suspension period that the dwelling unit
8 was occupied by a tenant otherwise required to pay
9 rent for such occupancy.

10 (2) REIMBURSEMENT FOR RENT PAID BY TEN-
11 ANTS.—In making payments under this section with
12 respect to any covered dwelling unit for which tenant
13 made a payment of rent during the COVID-19 sus-
14 pension period, the Secretary shall—

15 (A) reduce the amount of the payment to
16 the lessor under paragraph (1) by the amount
17 of any such rent paid; and

18 (B) make a payment to such tenant in the
19 amount of any such rent paid.

20 (e) PRIORITY.—In making payments under this sec-
21 tion, the Secretary shall establish a tiered system for pri-
22 ority for such payments based on assets, revenues, disclo-
23 sure requirements, and profit status with respect to les-
24 sors. Such system shall provide priority for making pay-
25 ments to eligible lessors that are nonprofit organizations

1 or entities and lessors having the fewest available amount
2 of assets.

3 (f) RECAPTURE.—If a lessor violates any requirement
4 with respect to a covered rental dwelling unit under any
5 certification or agreement entered into pursuant to sub-
6 section (c)(2), the Secretary shall recapture from the les-
7 sor an amount equal to the entire amount of assistance
8 provided under this section that is attributable to such
9 dwelling unit and cover such amount recaptured into the
10 Fund.

11 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated for the Landlord Relief
13 Fund established pursuant to this section such sums as
14 may be necessary to reimburse all lessors for all rent pay-
15 ments suspended pursuant to section 2(a) or forgiven pur-
16 suant to section 3(a).

17 **SEC. 6. LENDER RELIEF FUND.**

18 (a) ESTABLISHMENT.—The Secretary of Housing
19 and Urban Development shall establish and manage a
20 Lender Relief Fund (in this section referred to as the
21 “Fund”), to provide mortgagees payments under this sec-
22 tion to reimburse such mortgagees for mortgage payments
23 suspended pursuant to section 2(b) or for residential mort-
24 gage debt forgiven pursuant to section 3(b).

1 (b) APPLICATION.—The Secretary shall provide for
2 mortgagees under covered residential mortgage loans to
3 apply for reimbursement payments from the Fund, which
4 applications shall include the certifications and binding
5 agreements required pursuant to subsection (c). The Sec-
6 retary shall provide that an eligible mortgagee may apply
7 for assistance from the Fund only once with respect to
8 any covered residential mortgage loan.

9 (c) ELIGIBILITY.—The Secretary may provide a pay-
10 ment under this section only with respect to covered resi-
11 dential mortgage loans that meet all of the following re-
12 quirements:

13 (1) FAIR AND INCLUSIVE LENDING REQUIRE-
14 MENTS.—The mortgagee for the mortgage loan has
15 made such certifications to, and entered into such
16 binding agreements with, the Secretary as the Sec-
17 retary considers necessary to ensure that during the
18 5-year period beginning upon initial receipt by such
19 mortgagee of payment under this section for such
20 mortgage loan, such mortgagee shall be subject to
21 the following requirements:

22 (A) REPORTING ON LENDING.—The mort-
23 gagee shall report annually to the Secretary
24 such detailed information regarding residential
25 mortgage loans made by such mortgagee as the

1 Secretary shall require, including the race, eth-
2 nicity, age, and credit score of mortgagors, the
3 zip codes of properties for which mortgages
4 were made, and the interest rates and other
5 loan pricing features of such mortgage loans.

6 (B) REPORTING ON LENDER.—The mort-
7 gagee shall report annually to the Secretary
8 such detailed information regarding the mort-
9 gagee as the Secretary shall require, including
10 the location of the offices of the mortgagee, and
11 practices and systems for outreach to and refer-
12 ral of borrowers.

13 (2) REQUIRED DISCLOSURES.—

14 (A) IN GENERAL.—The mortgagee for the
15 mortgage loan shall disclose, for any person
16 that has an ownership interest in the mort-
17 gagee, including any members, shareholders,
18 general partners, or limited partners, if applica-
19 ble, the following information:

- 20 (i) Name.
21 (ii) Address of place of residence.
22 (iii) Date of birth.
23 (iv) Social Security Number or Em-
24 ployer Identification Number.

1 (v) Size of their interest in the mort-
2 gagee.

3 (vi) Type of entity.

4 (vii) State of incorporation.

5 (viii) Registered agent.

6 (ix) Address of any covered rental
7 dwelling units owned by such person.

8 (x) Occupancy or vacancy status of all
9 covered rental dwelling units owned by
10 such person.

11 (xi) Current rents charged for all cov-
12 ered rental dwelling units owned by such
13 person.

14 (xii) Total assets and liabilities.

15 (B) NON-NATURAL PERSONS.—For any
16 person identified in the disclosure required by
17 this paragraph that is not a natural person, the
18 mortgagee shall provide the information re-
19 quired by subparagraph (A) for that entity and
20 for any persons with ownership interests in that
21 entity and shall provide that information
22 iteratively for each layer of ownership until all
23 ownership interests are traced back to natural
24 persons or publicly traded corporations.

1 (C) EXEMPTION.—Nothing in this para-
2 graph shall require the disclosure of the identity
3 of, or personally-identifying information regard-
4 ing, shareholders of publicly traded corpora-
5 tions.

6 (3) PROHIBITION ON DUPLICATION OF ASSIST-
7 ANCE.—Assistance may not be provided under this
8 section with respect to any dwelling unit subject to
9 a covered residential mortgage loan for which assist-
10 ance is provided pursuant to section 5.

11 (d) AMOUNT.—

12 (1) IN GENERAL.—Subject to paragraph (2),
13 the amount of a payment under this section with re-
14 spect to a covered residential mortgage may not ex-
15 ceed the aggregate amount of mortgage payments
16 under the mortgage suspended pursuant to section
17 2(b) or forgiven pursuant to section 3(b).

18 (2) REIMBURSEMENT FOR MORTGAGE PAY-
19 MENTS MADE BY MORTGAGORS.—In making pay-
20 ments under this section with respect to any covered
21 residential mortgage loan for which the mortgagor
22 made a mortgage payment during the COVID-19
23 suspension period, the Secretary shall—

24 (A) reduce the amount of the payment to
25 the mortgagee under paragraph (1) by the

1 amount of any such mortgage payments paid;
2 and

3 (B) make a payment to the mortgagor in
4 the amount of any such mortgages payments
5 paid.

6 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated for the Lender Relief Fund
8 established pursuant to this section such sums as may be
9 necessary to reimburse all lessors for all rent payments
10 suspended pursuant to section 2(b) or forgiven pursuant
11 to section 3(b).

12 **SEC. 7. AFFORDABLE HOUSING ACQUISITION FUND.**

13 (a) ESTABLISHMENT.—The Secretary of Housing
14 and Urban Development shall establish and manage an
15 Affordable Housing Acquisition Fund (in this section re-
16 ferred to as the “Fund”), to fund the acquisition of multi-
17 family housing projects by eligible purchasers to—

18 (1) ensure that tenants have access to safe and
19 habitable housing conditions regardless of their land-
20 lords’ ability to pay for repairs and maintenance
21 during and after the COVID-19 pandemic;

22 (2) prevent financial hardship for rental prop-
23 erty owners; and

1 (3) prevent a mass exit in the rental housing
2 market that results in massive corporate purchases
3 similar to the 2008 economic crisis.

4 (b) FIRST RIGHT OF PURCHASE.—

5 (1) NOTICE TO SECRETARY.—During the 5-
6 year period beginning upon the date of the enact-
7 ment of this Act, the owner of a multifamily housing
8 property may not sell or transfer ownership of such
9 property unless—

10 (A) the owner has notified the Secretary,
11 in accordance with such requirements as the
12 Secretary shall establish, of the owner’s intent
13 to sell or transfer the property;

14 (B) a period of 60 days, beginning upon
15 provision of such notice to the Secretary, has
16 elapsed; and

17 (C) if during such 60-day period any eligi-
18 ble purchaser under paragraph (3) applies to
19 the Secretary for purchase assistance under
20 subsection (c) with respect to such property, the
21 Secretary has approved or denied such applica-
22 tion and, if approved, the eligible purchaser has
23 made a bona fide offer to the owner to purchase
24 such project in the amount determined under
25 subsection (c)(3)(A).

1 (2) NOTICE TO ELIGIBLE PURCHASERS.—Upon
2 provision to the Secretary of notice under paragraph
3 (1)(A) regarding a multifamily housing project, the
4 Secretary shall take such actions as may be nec-
5 essary to provide notice to eligible purchasers of the
6 owner’s intent to sell or transfer the property.

7 (3) ELIGIBLE PURCHASERS.—For purposes of
8 this section, an eligible purchaser under this para-
9 graph shall be a nonprofit organization, a public
10 housing agency, a cooperative housing association, a
11 community land trust, or a State or unit of local
12 government or an agency thereof, as such terms are
13 defined by the Secretary.

14 (c) PURCHASE ASSISTANCE.—

15 (1) APPLICATION.—The Secretary shall provide
16 for eligible purchasers to apply for assistance from
17 the Fund to cover the cost of acquisition of a multi-
18 family housing project for which notice has been
19 submitted pursuant to subsection (1)(A).

20 (2) CRITERIA.—The Secretary shall establish
21 such criteria and preferences as the Secretary con-
22 siders appropriate to select an eligible purchaser for
23 assistance under this section in cases in which more
24 than one approvable application for such assistance

1 is submitted with respect to a single multifamily
2 housing project.

3 (3) AMOUNT.—Pursuant to an application sub-
4 mitted under paragraph (1) with respect to a multi-
5 family housing project, the Secretary may provide
6 assistance from the Fund on behalf of eligible pur-
7 chaser submitting such application, in an amount
8 equal to the purchase price for the project agreed to
9 under subparagraph (A) of this paragraph, but only
10 if the Secretary determines that—

11 (A) such eligible purchaser and the owner
12 of such multifamily housing project have volun-
13 tarily agreed to a sale of such project to the eli-
14 gible purchaser for an amount not exceeding
15 the fair market value of the project as of the
16 time of provision of assistance from the Fund
17 for purchase of the project, as determined by
18 the Secretary; and

19 (B) the eligible purchaser has made the
20 certifications and entered into the agreements
21 required under subsection (d) with respect to
22 the project.

23 (d) AFFORDABLE HOUSING RESTRICTIONS.—The
24 certifications and agreements required under this sub-
25 section with respect to a multifamily housing project are

1 such certifications to, and binding agreements with, the
2 Secretary as the Secretary considers necessary to ensure
3 that during the useful life of the project the project will
4 comply with the following requirements:

5 (1) AFFORDABLE HOUSING.—The project shall
6 comply with the requirements under section 215(a)
7 of the Cranston-Gonzalez National Affordable Hous-
8 ing Act (42 U.S.C. 12745(a)) necessary to qualify
9 under such section as affordable housing.

10 (2) JUST-CAUSE EVICTIONS.—A tenant of the
11 project may be evicted only for just cause and only
12 pursuant to advance written notice to the tenant of
13 such just cause.

14 (3) SOURCE OF INCOME DISCRIMINATION.—A
15 prospective tenant household of the project may not
16 be refused rental of a dwelling unit in the project,
17 and a prospective tenant household or tenant house-
18 hold may not be discriminated against in the renting
19 of a dwelling unit in the project, based on the source
20 of income of such household, including income under
21 the program under section 8(o) of the United States
22 Housing Act of 1937 (42 U.S.C. 1437f(o)) or any
23 similar tenant-based rental assistance program.

24 (4) ADMISSIONS RESTRICTIONS.—Tenancy of
25 dwelling units in the project may not be restricted

1 on the basis of sexual identity or orientation, gender
2 identity or expression, conviction or arrest record,
3 credit history, or immigration status.

4 (5) SUPPORTIVE SERVICES.—Residents of the
5 project shall be provided with free, voluntary sup-
6 portive services that help address the needs of those
7 experiencing chronic homelessness or housing insta-
8 bility, including access to healthcare, employment or
9 education assistance, childcare, financial literacy
10 education, and other community-based support serv-
11 ices, as the Secretary shall require.

12 (6) DEMOCRATIC CONTROL.—Tenants of the
13 project shall have control of living and operating
14 conditions in the project through a democratically
15 elected resident board or council.

16 (e) RECAPTURE.—If an eligible purchaser violates
17 any requirement with respect to a multifamily housing
18 project purchased with assistance provided from the Fund
19 under any certification or agreement entered into pursu-
20 ant to subsection (d), the Secretary shall recapture from
21 the eligible purchase an amount equal to the amount of
22 such assistance provided and shall cover such amount re-
23 captured into the Fund.

24 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated for the Affordable Housing

1 Acquisition Fund established pursuant to this section such
2 sums as may be necessary—

3 (1) for assistance under this section to fund ac-
4 quisition of multifamily housing projects by eligible
5 purchasers; and

6 (2) for each fiscal year, for assistance for the
7 operation and maintenance of eligible properties pur-
8 chased with assistance provided from the Fund.

9 **SEC. 8. DEFINITIONS.**

10 For purposes of this Act, the following definitions
11 shall apply:

12 (1) COVERED RENTAL DWELLING UNIT.—The
13 term “covered rental dwelling unit” means a dwell-
14 ing that is occupied by a tenant—

15 (A) as a primary residence; and

16 (B)(i) pursuant to a residential lease; or

17 (ii) without a lease or with a lease ter-
18 minable at will under State law.

19 Such term includes such a dwelling unit in multi-
20 family housing, single-family housing, a condo-
21 minium unit, a unit in cooperative housing, a dwell-
22 ing unit that is occupied pursuant to a sublease, a
23 single-room occupancy unit, and a manufactured
24 housing dwelling unit and the lot on which it is lo-
25 cated.

1 (2) COVERED RESIDENTIAL MORTGAGE
2 LOAN.—The term “covered residential mortgage
3 loan” means any consumer credit transaction that is
4 secured by a mortgage, deed of trust, or other equiv-
5 alent consensual security interest on residence con-
6 sisting of a single dwelling unit that is occupied by
7 the mortgagor as a primary residence.

8 (3) COVID-19 SUSPENSION PERIOD.—The term
9 “COVID-19 suspension period” means the period
10 beginning on March 1, 2020, and ending on April 1,
11 2022.

12 (4) MULTIFAMILY HOUSING PROJECT.—The
13 term “multifamily housing project” means a residen-
14 tial structure consisting of 5 or more dwelling units.

15 (5) SECRETARY.—The term “Secretary” means
16 the Secretary of Housing and Urban Development.

17 **SEC. 9. REGULATIONS.**

18 The Secretary may issue any regulations necessary
19 to carry out this Act.